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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	44471/
Inventors	Katsuo KUMAGAI; Kenzo KAI; and Ken-ichi KOMINE
Title	Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent
Express Mail Label No.	EV 212829943US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 30]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets 0]
5. Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Commissioner for Patents
Mailstop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment:
 - a. ☐ Assignment Papers (cover sheet & document(s))
 - b. ☒ Assignment is of record in parent application No. 09/995,040
10. ☐ 37 C.F.R. §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Petition for Extension of Time in parent application.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/995,040

Prior application information: Examiner G. Krishnan

Group / Art Unit: 1623

Recite complete dependency back to first parent application: This application is a continuation of U.S. Patent Application Serial No. 09/995,040, filed November 26, 2001.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number

23370

Name (Print/Type)	Janina A. Malone	Registration No. (Attorney/Agent)	47,768
Signature			Date
			July 28, 2003

17302 U.S. PTO
10/629117
07/28/03

1716991.S.PTC
07/28/03

FEE TRANSMITTAL

Attorney Docket No. **44471/**_____

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **Katsuo KUMAGAI et al.**
Filing Date: **Herewith**
Title: **Therapeutic Agent for Mastitis of Livestock and Method for Treating Mastitis Using the Same Agent**

The filing fee is calculated as shown below:

1. FILING FEE:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$375		\$750	750
<input type="checkbox"/> DESIGN FILING FEE	\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE	\$260		\$520	
<input type="checkbox"/> REISSUE FILING FEE	\$375		\$750	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80		\$160	
SUBTOTAL (1)		\$		\$750.00

2. CLAIMS:

SMALL ENTITY				LARGE ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	5 - 20 =	0	x 9 =		x 18 =	-0-
INDEP. CLAIMS	3 - 3 =	0	x 42 =		x 84 =	-0-
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =		+280 =	
SUBTOTAL (2)				\$		\$-0-

3. ADDITIONAL FEES:

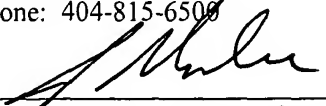
SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER				
SUBTOTAL (3)		\$		\$

TOTAL FILING FEES: \$750.00

A check is enclosed for the total amount: **\$750.00**

☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

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By: 
Janina A. Malone, Attorney for Applicant
Reg. No. 47,768

Date: 7/28/05

DUPLICATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Katsuo KUMAGAI et al.)
)
Serial No. **09/995,040**)
)
Filed: **November 26, 2001**)
)
For: **Therapeutic Agent for Mastitis of**)
Livestock and Method for Treating)
Mastitis Using the Same Agent)

Art Unit: **1623**
Examiner: **G. Krishnan**


PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The above-identified applicants respectfully request a three-month extension of time within which to file a response to the Office Action dated January 28, 2003, to expire July 28, 2003. A check in the amount of \$875.00 is enclosed herewith to cover the fee for a three-month extension, minus the \$55.00 fee for the one month extension of time filed June 2, 2003. **Please note that applicants have recently become a large entity.**

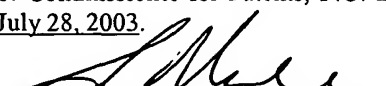
Please charge any additional fees, or credit any overpayment, to Deposit Account 11-0855. A duplicate copy of this sheet is attached.

Respectfully submitted,


Janina A. Malone
Reg. No. 47,768

KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530
Our Docket: 44471/267257

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV 212829943 US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 28, 2003.


Janina A. Malone - Reg. No. 47,768